

A BILL

To be entitled

An Act relating to the laws governing and regulating amateur boxing and wrestling; amending Section 1, Chapter 241, Acts of the 43rd Legislature, 1933, as last amended (compiled as Article 614-1, Vernon's Annotated Penal Code); and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Section 1, Chapter 241, Acts of the 43rd Legislature, 1933, as last amended by Section 1, Chapter 31, Acts of the 48th Legislature, 1943, is amended to read as follows:

"Section 1. Exceptions--Authority Vested in Commissioner of Labor -- Right of Appeal -- Amateur Contests.

(a) The promoting, conducting or maintaining of fistic combat or wrestling matches, boxing or sparring contests or exhibitions for money remuneration, purses or prize equivalent to be received by the participants or contestants, or where an admission fee thereto or therefor is charged or received, shall be lawful in Texas, except on Sunday, subject to such supervision by the Commissioner of Labor as such Commissioner possesses over theatres and employees thereof other than performers and under the provision hereof; provided, however, that such contests conducted by Educational Institutions and/or Texas National Guard Units and/or other branches of the Armed Service. This chapter does not apply to amateur wrestling contests sponsored by the Olympic Committee of the U. S. A. or the District Association of the Amateur Athletic Union of America, subject to approval by the Commissioner of Labor, provided the entire net proceeds are used for the purpose of defraying the expenses of teams of amateur wrestlers engaged in international competition.

Sole jurisdiction and authority is hereby vested in the Commissioner of Labor to enforce the provisions of this Act regulating the promoting, conducting or maintaining of fistic combats, wrestling matches, all boxing, or sparring contests, including all amateur boxing contests not in conflict with the aforementioned exceptions, or exhibitions for money remuneration, purse or prize equivalent to be received by the participants or contestants, or where an admission fee thereto or therefor is charged or received, and he is hereby given specific authority to promulgate such rules and regulations as shall become necessary in carrying out the purposes of this Act, and shall have the power of refusal of licenses or permits to boxers, wrestlers, managers, referees, matchmakers, timekeepers, seconds or promoters if after investigation applicant or applicants are found to be of questionable character or not

entitled to same under the provisions of this Act.

The definition of the words "boxer," "wrestler," "manager," "timekeeper," "second," "promoter," together with the phrases "fistic combat," "wrestling match," "boxing contest," as used in this Act shall be accepted as defined by the National Boxing Association and the National Wrestling Association, and the rules governing ring regulations of boxing and wrestling contests or sparring contests or exhibitions, their seconds and referees shall be in accordance with those set out by the National Boxing Association and the National Wrestling Association. The definition of the phrases "Amateur Contestant," "Amateur Contest," including all Amateur Boxing Tournaments shall be governed by the Rules and Regulations as set forth by the National Amateur Athletic Union.

If any person, club, firm or corporation be dissatisfied with any order, ruling or decision of said Commission, such aggrieved party may within thirty (30) days from the entry of such order, ruling or decision, appeal therefrom to the District Court of Travis County, Texas, and such Court may hear and determine such appeal, in term time or vacation, by trial de novo. If the aggrieved party shall prevail by final judgment, a ~~certified copy~~ thereof shall be presented to the Commissioner who shall comply with the terms thereof upon the payment of all fees incurred under the terms of this Act.

(b) None of the provisions of this Act shall be applicable to and enforced against:

(1) Amateur wrestling contests sponsored by the Olympic Committee of the U. S. A. or the District Association of the Amateur Athletic Union, provided the entire net proceeds are used for the purpose of defraying the expenses of teams of amateur wrestlers engaged in International competition.

(2) Any contests or exhibitions between students of such institutions which are conducted by any college, school or university as part of the institution's athletic program.

(3) Contests or exhibitions between members of such units which are conducted by any troop, battery, company or units of the Texas National Guard or Texas Guard and/or other branches of the Armed Service, where none of the participants in such contests or exhibitions receive a money remuneration or purse or prize equivalent for their performance or services therein.

Every person, corporation, club, organization or association of persons conducting or sponsoring amateur boxing or wrestling contests and/or tournaments, except

those specifically exempted, where an admission fee is charged shall be subject to the tax provision of this Act--three percent (3%) of gross receipts--and shall conduct all wrestling matches, fistic combats, boxing or sparring contests of amateur standing under the conditions specified herein.

(1) The sanction and approval of the Commissioner of Labor shall be secured at least seven (7) days prior to date of tournament(s) or contests, and all entries shall be filed with said amateur organization three (3) days prior to date of tournament or contests.

(2) All amateur organizations shall have the responsibility of determining and sanctioning the amateur standing or status of each and every contestant who performs or appears in such amateur contests or tournament(s), provided the Rules and Regulations of the National Amateur Athletic Union are observed in toto.

(3) All amateur organizations shall not be required to secure a license to conduct or promote amateur contests or Amateur Boxing Tournaments approved by the Commissioner of Labor.

(4) All contests or tournaments shall be subject to the supervision of the Commissioner of Labor and all profits derived from such contests or tournament(s) are to be used in the development of Amateur Boxing and Wrestling.

(a) The State Director of the Texas Golden Glove Athletic Association, and the Directors of other recognized amateur organizations in the State of Texas, shall instruct the Directors of the various participating regions to make semi-annual progress reports to the Commissioner of Labor and individual reports on each amateur boxing or wrestling show, where an admission is charged therefor or received, including the District qualifying tournaments. The semi-annual progress reports should be made on March 1st and September 1st of each year.

(b) Each Regional Director shall indicate in concise detail the progress made in the development of Amateur Boxing and/or Wrestling in his respective region, and shall list the various locations, sites, where Gyms or Training Facilities are maintained for the development of Amateur Athletics -- namely, Boxing and Wrestling. Such Regional Directors shall have the option of adding comments as to the perspective or range for future development.

(c) These semi-annual progress reports from the various regional directors of recognized amateur organizations, including the State Directors, shall include a statement of income and expenditures consistent with normal accounting procedures, showing how and where the funds derived from such non-profit Amateur Boxing and/or

Wrestling Tournaments is spent or held in a trust fund and the purposes therefor.

(5) No one shall be permitted to act as referee in amateur contests except a person holding a license or permit from the Commissioner of Labor.

(6) All contestants shall be examined by a licensed physician within a reasonable time before they enter or engage in contests, and a licensed physician shall be in attendance at the ringside during the full course of the contests or tournament.

(7) No boxer, wrestler or manager licensed under this Act shall participate in any capacity, except to be a second, during any amateur show or exhibition, and said participation shall be deemed sufficient grounds for having his professional license suspended or revoked by the Commissioner of Labor."

Sec. 2. The fact that the existing laws of the State of Texas governing and regulating Amateur Boxing and Wrestling are inadequate and creates an emergency to provide for a repeal clause and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended and the said Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

H. B. 611

By: *Jones, O.*

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**READ 1ST TIME  
AND REFERRED TO COMMITTEE ON**

*State Affairs*